

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:23CR_133 -1
	:	
ARCADIO FIGUEROA BUENO	:	

FACTUAL BASIS

NOW COMES the United States of America, by Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, through the undersigned Assistant United States Attorney, and as a factual basis under Rule 11, Fed. R. Crim. P., states as follows:

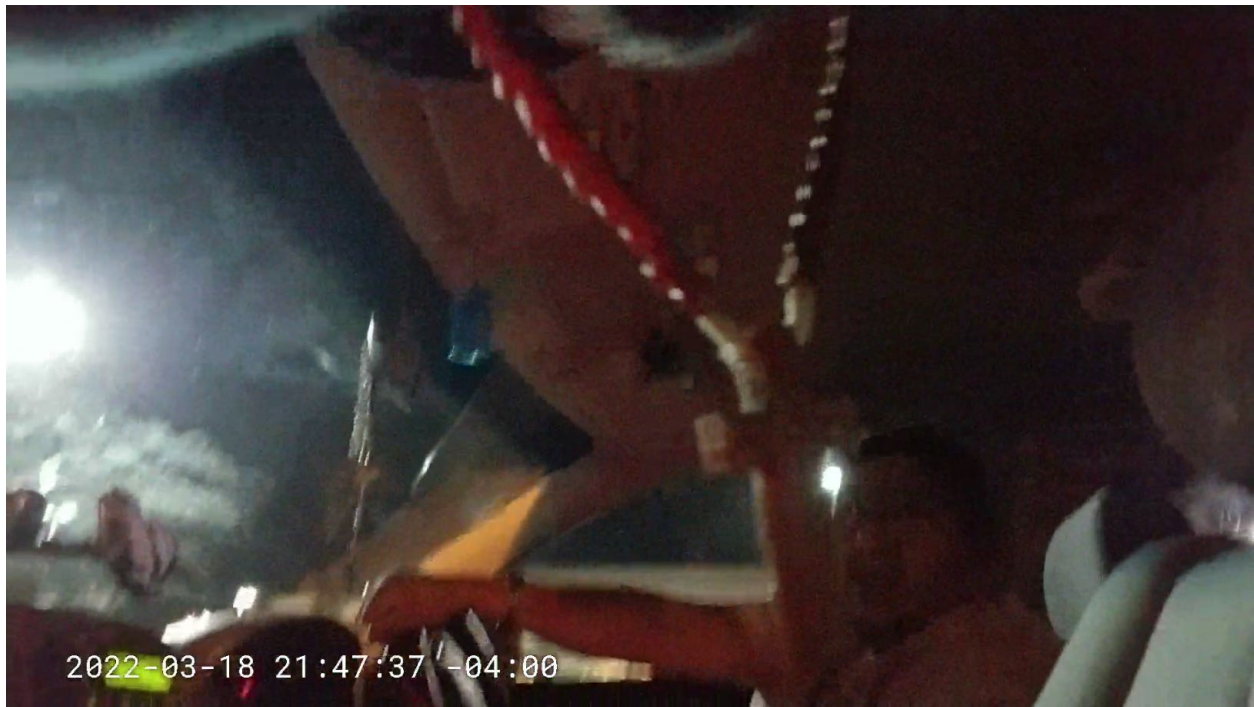
The DEA and FBI, in partnership with local law enforcement agencies, have been conducting a joint investigation targeting a Mexican-based drug trafficking organization believed to be responsible for the distribution of methamphetamine within the Middle District of North Carolina.

As part of the investigation, law enforcement utilized an undercover DEA agent who arranged for the purchase of narcotics from a Mexican source via a WhatsApp international telephone number. The source agreed to “front” the undercover agent a kilogram of methamphetamine for no initial payment. The exchange was to take place in the parking lot of a Food Lion located at 575 New Walkertown Road, in Winston Salem, North Carolina.

On March 18, 2022, at approximately 9:41 p.m., the undercover agent (UA) arrived at the location of the exchange. The UA was communicating with the source in Mexico via WhatsApp. After a few minutes, the courier, later identified as the defendant Arcadio Figueroa Bueno, pulled into the Food Lion parking lot and parked beside the UA. The defendant was driving a tan Hyundai bearing North Carolina license plate JJL 8763.

The UA walked over to the front passenger window and engaged the defendant in conversation. The defendant had a cellphone in his lap. The defendant told the UA that he had “the guy” on the line. The defendant pointed to a gallon Ziplock bag on the floorboard that appeared to contain a kilogram of methamphetamine. The UA retrieved the bag, then both left the parking lot.

At the time of the exchange, the UA was equipped with a hidden recording device. A still image of the defendant is included below:



Subsequent testing at a DEA laboratory determined that the substance delivered by the defendant was 993 grams of methamphetamine hydrochloride with a 95% purity.

On March 21, 2022, another individual reached out to the UA via WhatsApp using an international telephone number on behalf of the Mexican source. This individual was requesting payment for the methamphetamine. Per instructions from this individual, the UA wired \$650 to three different people in Mexico and \$550 to a fourth person in Mexico.

The UA was then instructed to meet a courier in the parking lot of Rincon Latino located at 540 Akron Drive in Winston Salem, North Carolina, to pay the remaining balance of \$4,500.

The UA went to the meet location. A few minutes later, the defendant arrived in the same tan Hyundai. The UA gave the defendant \$4,500 as the remaining payment for the kilogram of methamphetamine delivered on March 18, 2022.

Surveillance units followed the defendant after he left. Agents had a deputy with the Forsyth County Sheriff's Office in a marked patrol unit conduct a traffic stop. During the traffic stop, the defendant provided a Mexican Identification Card bearing the name "Arcadio Figueroa Bueno."



After the traffic stop surveillance units continued to follow the defendant back to a residence in Winston Salem, North Carolina.

Later, on January 26, 2023, officers conducted a traffic stop on a vehicle driven by the defendant and arrested him on warrants stemming from his indictment in 1:22CR343-1. At the time of his arrest, the defendant was in possession of the Mexican Identification Card presented during the traffic stop on March 21, 2022, as well as two cellular telephones: a Samsung cellular telephone assigned number 336-391-1175, and a Moto G Stylus cellular telephone assigned number 336-703-1867. Officers obtained warrants to search the contents of these phones. During a subsequent examination, officers discovered pictures of the tan Hyundai bearing North Carolina license plate JJL 8763 on the Samsung phone. This is the same car that he was driving on March 18, 2022 and March 21, 2022.

The defendant subsequently made a statement, through his attorney, admitting that this cellular telephone identified in the bill of information was the phone he had with him at the time of the drug exchange on March 18, 2022, which he used to receive instructions to meet the undercover agent.

This, the 6th day of April, 2023.

Respectfully submitted,

SANDRA J. HAIRSTON
United States Attorney

/S/ KYLE D. POUSSON
Assistant United States Attorney
NCSB #: 38437
United States Attorney's Office
Middle District of North Carolina
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
Phone: (336) 333-5351
E-mail: kyle.pousson@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2023, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Aaron Wellman, Esq.

/S/ KYLE D. POUSSON
Assistant United States Attorney
NCSB #: 38437
United States Attorney's Office
Middle District of North Carolina
101 S. Edgeworth Street, 4th Floor
Greensboro, North Carolina 27401
Phone: (336) 333-5351
E-mail: kyle.pousson@usdoj.gov